

PLANNING COMMISSION REPORT



MEETING DATE: February 25, 2004

ITEM NO. _____

GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT

Sienna Hills - 14-AB-2003

REQUEST

Request to consider the following:

1. Abandon the Government Land Office (GLO) roadway and utility easement along the property boundaries of GLO lots 7, and 8.

Related Policies, References:

General Plan – Community Mobility Element.

3-PP-2004

OWNER

Roman Catholic Church of the
Diocese Of Phoenix
480-998-3843

APPLICANT CONTACT

Dan Walker
Walker/Long Holdings
480-657-8797

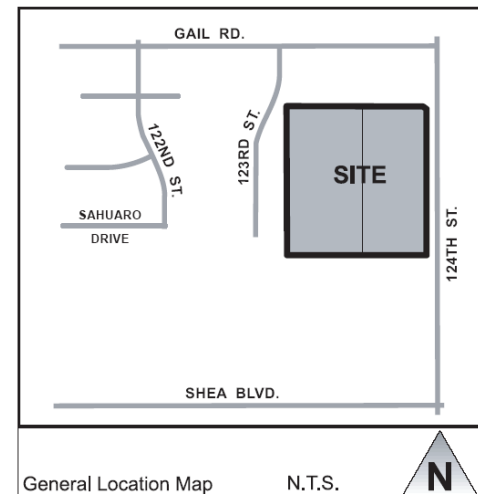
LOCATION

12323 E Gail Rd

BACKGROUND

Background.

The subject 33 feet GLO patent roadway and public utility easements were dedicated on the original GLO patent deed in 1954. The property is currently vacant with access to the site from the eastern property frontage 124th Street. The proposed subdivision will include the two parcels along the northern property boundary creating a frontage along Gail Road.



General Location Map

N.T.S.



General Land Office Patent Easements (general information).

- Within the City of Scottsdale there are General Land Office (GLO) lots or parcels of various sizes created by the Federal Small Tract Act. This act was passed in 1938 and repealed in 1976.
- Most GLO lots were patented with 33 feet (or sometimes 50 feet) roadway and public utility easements typically “as near as practicable to the exterior boundaries”.
- The city has viewed these patent roadway and utility easements as assured access at least until a local circulation plan is established.
- As GLO lots come in for development (i.e. lot splits, subdivisions or requesting building permits) staff requires city right-of-way dedications per our circulation plans. The city’s transportation plan establishes a street system to replace the grid pattern created by the GLO easements.
- Any patent easements in excess of the current requirements to the

circulation plans (including trails), roadway standards, and not required to insure access to any other lot, may be requested to be abandoned.

- On 1981, City Ordinance 1386 was adopted delegating the authority for the release of GLO easements to the Engineering Services Director.
- On March 2, 1999, the City Council repealed Ordinance 1386 and adopted Ordinance 3219 which requires the abandonment of the GLO patent roadway easements to go through the same public hearing process currently used for all right-of-ways, alleys, and roadway easements. The City Attorney's office has concluded that this process for consideration of GLO roadway abandonment satisfies legal requirements.

The subject GLO roadway easements were reserved on the original patent deed to assure legal access. Currently the 33 feet GLO easements are unimproved.

Zoning.

The site is zoned R1-43 ESL, Single Family Residential with Environmentally Sensitive Lands.

Context.

This abandonment of the 33-feet GLO easements is being processed in conjunction with a proposed residential subdivision. A public half street will be dedicated along the southern property boundary to provide access from 124th street. This half street dedication will match the proposed half street dedication provided by the church parcel to the south.

**APPLICANT'S
PROPOSAL****Goal/Purpose of Request.**

This request is abandon the entire 33 feet of GLO roadway and public utility easement along the property boundaries of GLO lots 7, and 8. The applicant has applied to develop this property into a 13 lot residential subdivision under the current zoning designation.

Key Issues.

- Eliminate city's interest in GLO easements.
- Maintains consistency with city street standards as approved by the Transportation Department.
- Right of way will be dedicated to provide access from 124th street.
- There are no trails required or affected by the abandonment of these easements.

IMPACT ANALYSIS**Departmental Responses.**

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1).

Community Involvement.

Surrounding property owners within 350 feet have been notified. On December 11, 2003 the applicant met with NESPOA and interested public to present the abandonment and the subdivision proposal. At the time of writing this report there have been no comments.

STAFF
RECOMMENDATION

Recommended Approach:
Staff recommends approval, subject to the attached stipulation.
1. Dedicate a 25-foot half street along the southern property frontage (Saguaro Drive).

RESPONSIBLE
DEPT(S)
STAFF CONTACT(S)

Planning and Development Services Department

Greg Williams
Senior Planner
480-312-4205
E-mail: gwilliams@ScottsdaleAZ.gov

APPROVED BY

Greg Williams
Senior Planner

Kurt Jones, AICP
Current Planning Director

ATTACHMENTS

1. Departmental Checklist
2. Context Aerial
3. Detail Aerial
4. Area Trails Plan
5. City Notification Map
6. Abandonment Area

CASE 14-AB-2003

Department Issues Checklist

Transportation

☒ Support

The applicant has applied for a preliminary plat for a 12-lot subdivision in conjunction with this abandonment of GLO easements. Access for these parcels will be off Gail Road via 40-foot right of way south through the parcel ending in a 45-foot degree radius cul de sac. The northern 25-foot of Saguaro Drive will be dedicated to match the proposed dedication from the project to the southern property.

Trails

☒ Support

The public trails are located along the eastern boarder of 124th Street outside of the proposed property limits.

Adjacent Property Owner Notification

☒ Support

The applicant mailed notice to property owners within 350 feet of the property and held a public forum at the North East Scottsdale Property Owners Association (NESPOA) December meeting. At this time there has been no objection to this abandonment.

Public Utilities

☒ Support

All utility companies have submitted letters of support for this abandonment request with no reservations.

Emergency/Municipal Services

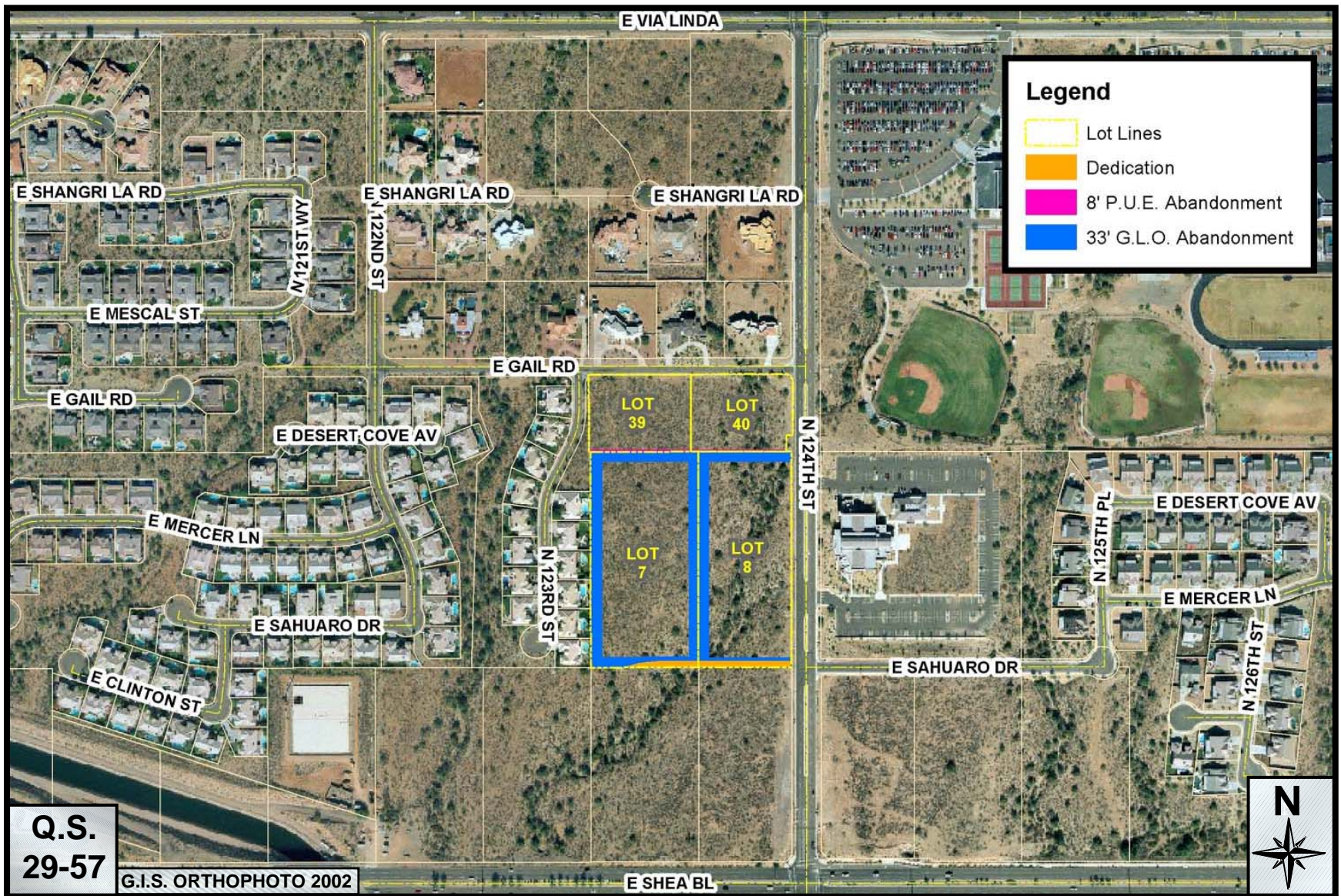
☒ Support

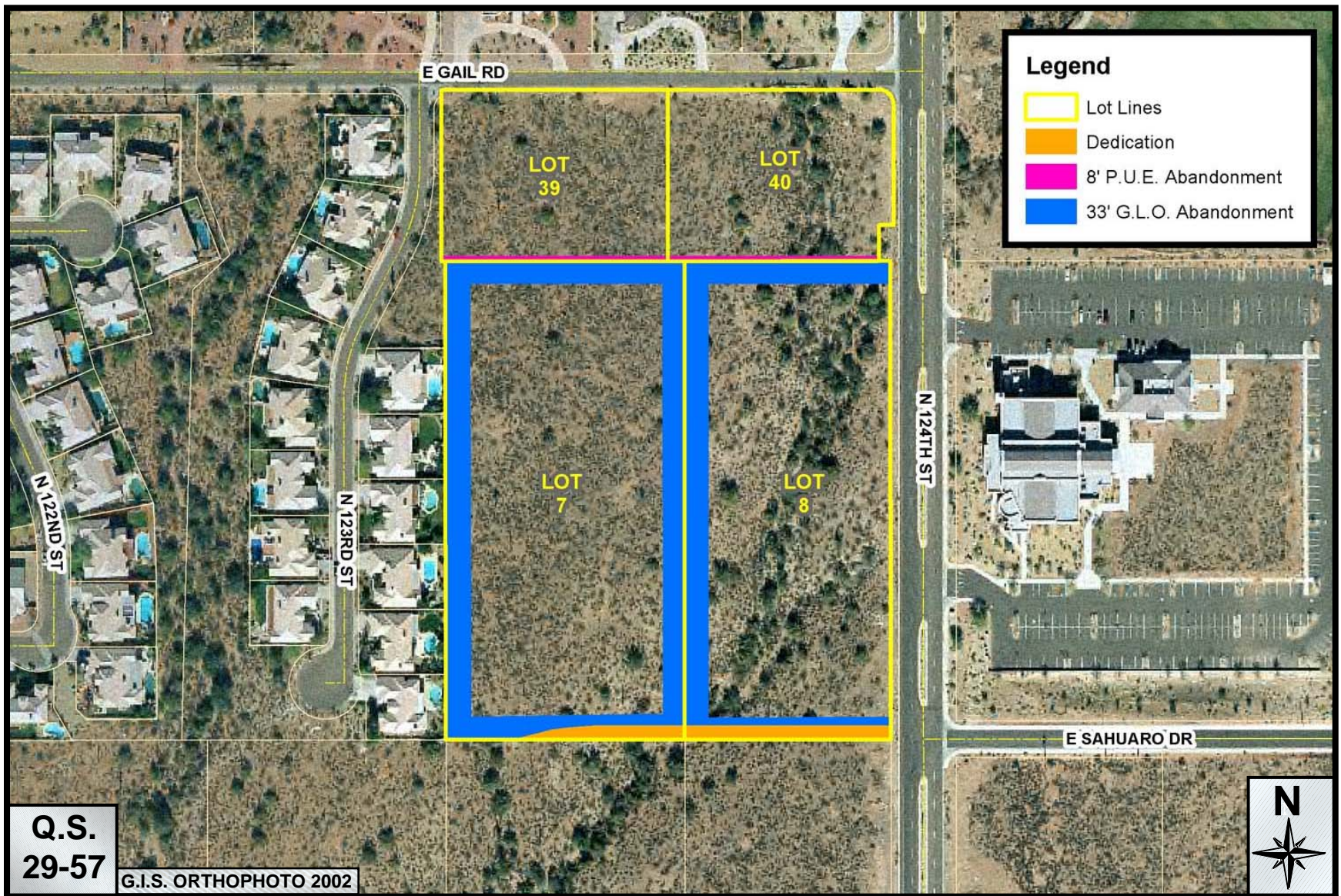
Emergency service access is being proposed along Gail Road, 124th Street and the proposed Saguaro Drive.

Water/Sewer Services

☒ Support

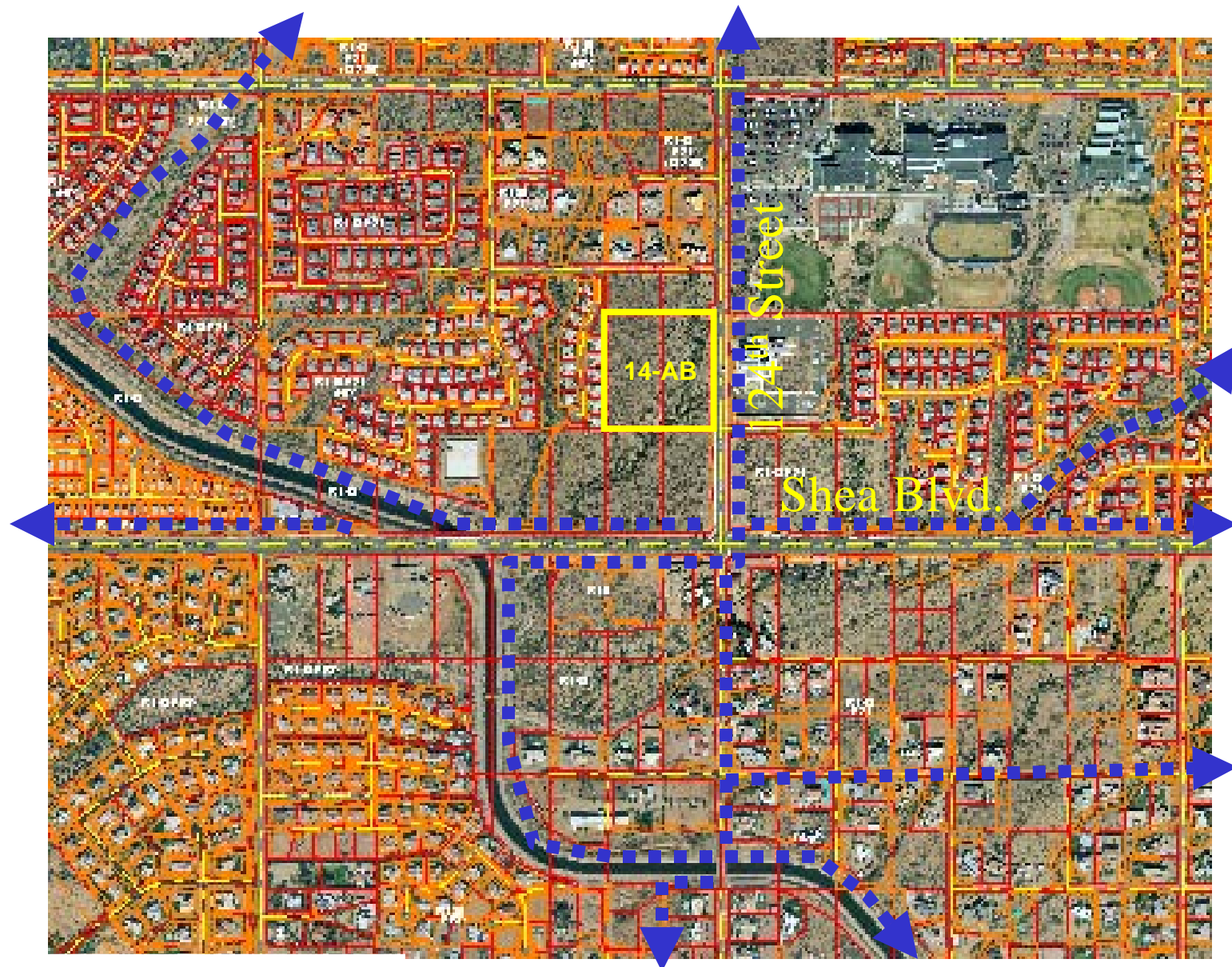
Water and sewer have no objection to the abandonment.



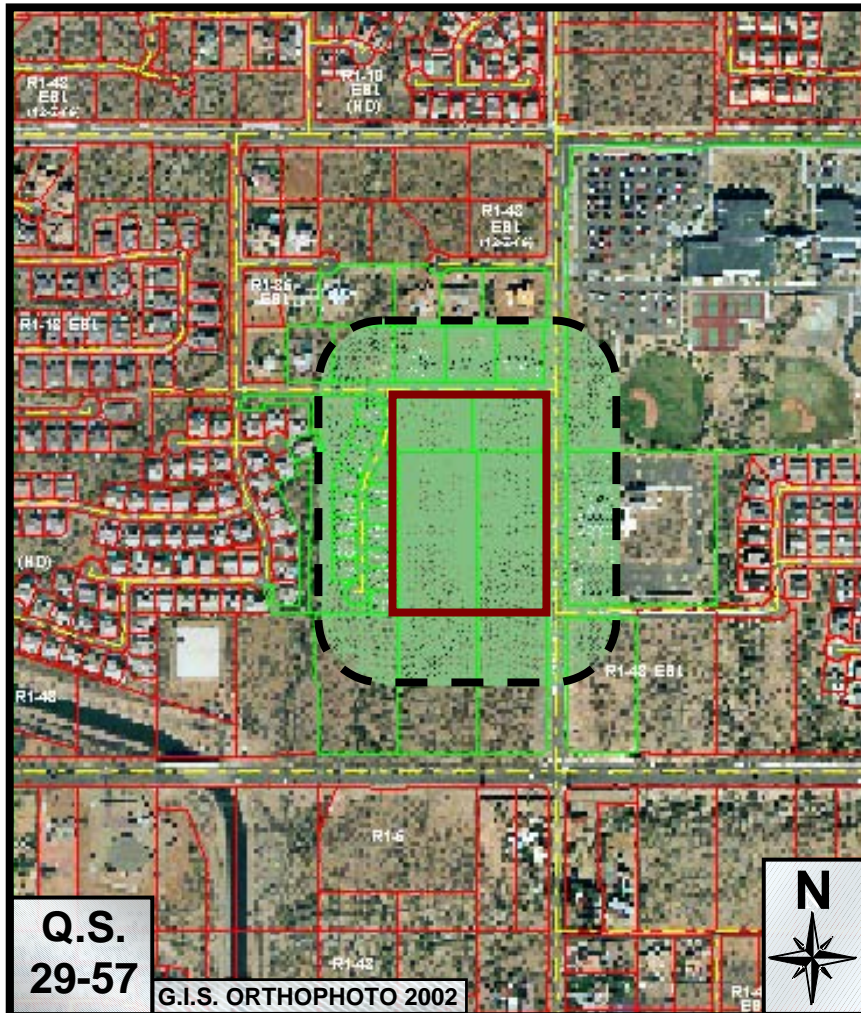


Sienna Hills

Planned Trails in 124th Street and Shea Area



City Notifications – Mailing List Selection Map



Map Legend:



Site Boundary



Properties within 300-feet

Additional Notifications:

- Interested Parties List
- Desert Hills of Scottsdale HOA
- NESPOA

Sienna Hills

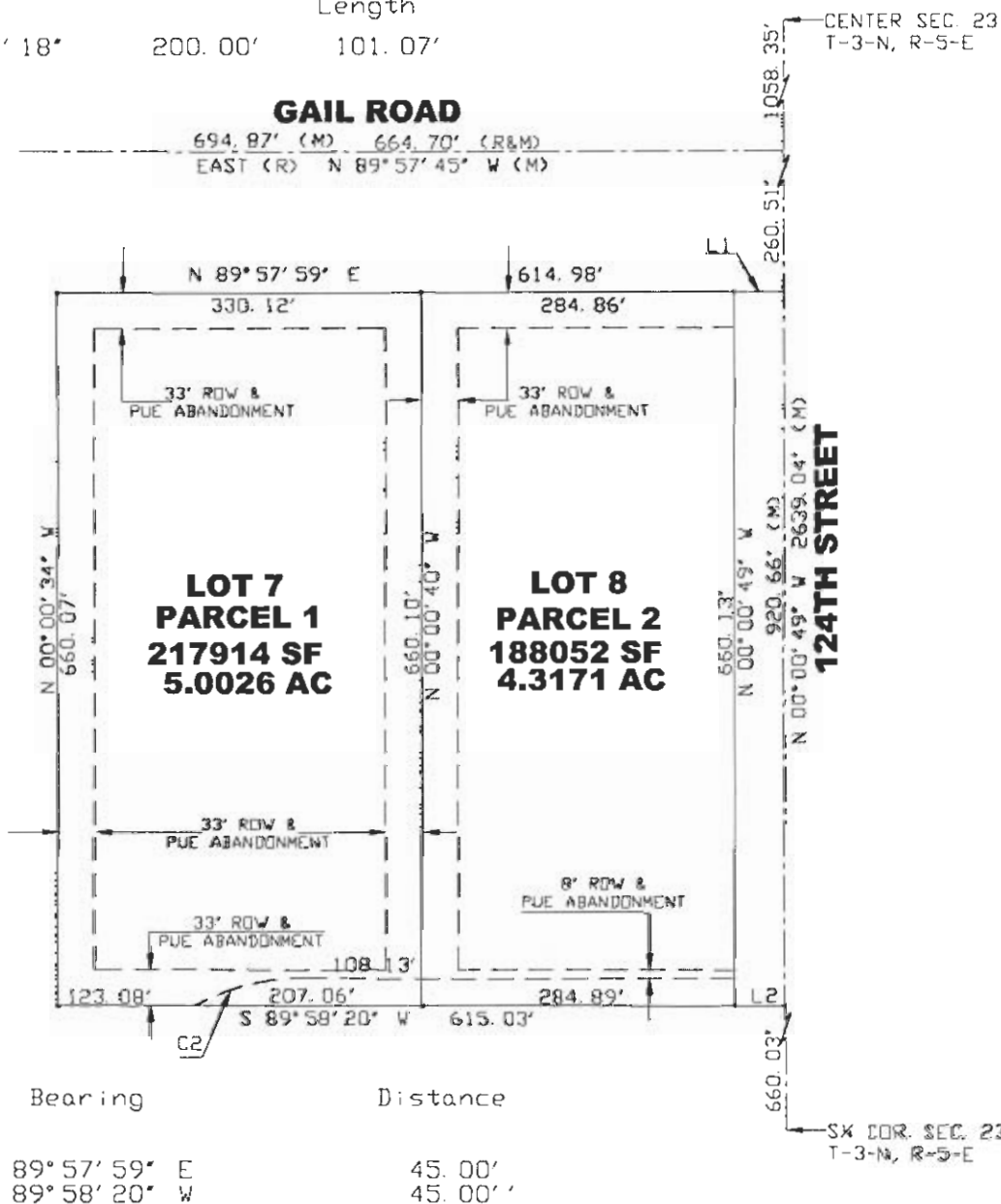
14-AB-2003

ATTACHMENT #5

EXHIBIT "B"

CURVE DATA:

Curve Number	Delta	Radius	Arc Length
C 1	28° 57' 18"	200.00'	101.07'



**ALLEN
CONSULTING
ENGINEERS, INC.**

2550 N. THUNDERBIRD CIRCLE #132
MESA, ARIZONA 85215
PHONE (480) 844-1666
FAX (480) 830-8453

SIENNA HILLS R.O.W. AND P.U.E ABANDONMENT

JOB NUMBER	92917	DRAWING	EXHIBIT
DRAFTSMAN	CHECKED BY	DATE	02-03-04